

Violation No. 9105877-80 Loc. Code MA 64
STATEMENT OF PROBABLE CAUSE
 (for issuance of an arrest warrant or summons)

I state that on January 18, 2022 while exercising my duties as a law enforcement officer in the District of Massachusetts I was on uniformed patrol in a marked NPS patrol vehicle with Ranger K. Ogara. At approx. 1838 hrs I was parked at the intersection of First Ave and Fifth St. This intersection is within the boundaries of Boston NHP. We saw a green Honda CRV (MA 8HV395) driving on First Ave approaching the intersection of Fifth St. The vehicle did not stop at the stop sign and turned without signaling. The vehicle stopped at the red light a significant distance from the stop line with no vehicles in front of it. Once the light turned green the vehicle stopped at the intersection for several seconds before turning onto Chelsea St where its passenger side tires rode the dashed white line. We stopped the vehicle and identified the driver by MA DL as James SMITH.

SMITH admitted to consuming an alcoholic beverage. I detected the odor of an alcoholic beverage coming from the passenger compartment of the vehicle and SMITH's person. SMITH consented to perform a series of verbal tests and Standardized Field Sobriety Tests (SFSTs). SMITH had difficulty following instructions and showed signs of impairment during all tests. I observed 3 of 6 clues for Horizontal Gaze Nystagmus, 8 of 8 clues for Walk and Turn, and 3 of 4 clues for the One Leg Stand. I arrested SMITH for Operating Under the Influence of Alcohol- Unsafe Operation. SMITH provided a chemical breath sample of .11 g/210 L Blood Alcohol Content (BAC) level.


I issued SMITH the following Federal Violation Notices (Mandatory Appearance):
 9105877- 36 CFR 4.23(a)(1)- OUI Alcohol- Unsafe Operation
 9105878- 36 CFR 4.23 (a)(2)- OUI Alcohol- BAC>.08%
 9105879- 36 CFR 4.12- Failing to comply with Traffic Control Device Road markings
 9105880- 36 CFR 4.13 (a)- Obstructing Traffic- stopping on roadway

This stop was recorded via BWC and dash cam. NP22013800.

The foregoing statement is based upon:

- ☒ my personal observation ☒ my personal investigation
 information supplied to me by my fellow officer's observation
☐ other (explain)

I declare under penalty of perjury that the information which I have set forth above and on the face of this violation notice is true and correct to the best of my knowledge.

Executed on: 01/18/2022 
 Date Officer's Signature

Probable cause has been stated for the issuance of a warrant.

Executed on: _____
 Date U.S. Magistrate-Judge

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